

REMARKS

This amendment is in response to the Office Action mailed March 1, 2007. Claims 1-18 were pending. In the Office Action, Claims 1-18 were rejected. Claim 1 has been amended. Claims 1-18 are now pending.

Claims 1-9 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 1 has been amended to address the rejection.

Claims 1-18 were rejected under the judicially created doctrine of obviousness-type double patenting over combinations based on U.S. Patent No. 7,155,463 assigned to EMC Corporation, the owner by assignment of the instant application. A terminal disclaimer is filed herewith to overcome this rejection and removal of the rejection is respectfully requested.

In the preceding office action, claims 1-18 were rejected over U.S. Patent No. 6,757,696, hereafter known as Multer, alone or in combination with U.S. Patent No. 5,751,813, hereafter known as Dorenbos.

All of the independent claims as previously amended use language similar to language in the independent claims of the recently allowed parent case (U.S. Patent No. 7,155,463). Specifically, all of the independent claims recite that at least one of the agents is configured to perform replication in accordance with one or more replication policies that use groups of mirrored logical volumes that store data associated with the replication, the one or more replication policies comprising a control policy, and the control policy being assignable to a first grouping level and the same control policy also being assignable to a second grouping level. Support may be found in the specification, at least at page 20 lines 10-15 and page 30 lines 5-6.

Applicant: Yao Wang, *et al.*
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Neither Multer nor Dorenbos discloses or suggests performing replication in accordance with replication policies as recited in the claims.

All of the claims including the dependent claims are patentable for at least the same reasons stated above.

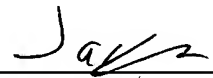
In view of the foregoing, the Applicant believes that the application is in condition for allowance and respectfully request favorable reconsideration.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at (508) 293-7074.

Please charge all fees occasioned by this submission to Deposit Account No. 05-0889.

Respectfully submitted,

Dated: 5-31-07



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